

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Kim Tharesa Holt aka Kim Brown
Debtor

CHAPTER 13

Deutsche Bank National Trust Company, as Trustee, on
behalf of the registered holders of GSAMP Trust 2005-
AHL, Mortgage Pass-Through Certificates, Series 2005-
AHL

NO. 19-12819 ELF

Movant

vs.

Kim Tharesa Holt aka Kim Brown

Debtor

William C. Miller Esq.

Trustee

11 U.S.C. Section 362

**MOTION OF Deutsche Bank National Trust Company, as Trustee, on behalf of the
registered holders of GSAMP Trust 2005-AHL,
Mortgage Pass-Through Certificates, Series 2005-AHL
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is Deutsche Bank National Trust Company, as Trustee, on behalf of the registered holders of GSAMP Trust 2005-AHL, Mortgage Pass-Through Certificates, Series 2005-AHL.
2. Debtor is the owner of the premises 1020 East Cheltenham Ave, Philadelphia, PA 19124, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$76,500.00 on the mortgaged premises that was executed on December 27, 2004. Said mortgage was recorded on January 5, 2005 at Instrument No. 51092741. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on March 22, 2012, at Document No. 52461752 in Philadelphia County. Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.

4. Select Portfolio Servicing, Inc. services the loan on the property referenced in this Motion for Relief. In the event the automatic stay in this case is lifted/set aside, this case dismisses, and/or the debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Deutsche Bank National Trust Company, as Trustee, on behalf of the registered holders of GSAMP Trust 2005-AHL, Mortgage Pass-Through Certificates, Series 2005-AHL. Said entity has

the right to foreclose by virtue of being the owner and holder of the note. The promissory note is either made payable to said entity or has been duly endorsed.

5. William C. Miller Esq., is the Trustee appointed by the Court.

6. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor.

7. Debtor has failed to make the monthly post-petition mortgage payments in the amount of \$837.58 for the months of December 2019 through January 2020 and \$814.90 for the month of February 2020.

8. As of February 6, 2020, the total amount necessary to reinstate the loan post-petition, less suspense balance of \$814.62 is \$1,675.44.

9. The unpaid principal balance of the referenced loan is \$61,105.15 as of February 6, 2020.

10. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/Rebecca A. Solarz, Esquire

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